

**Written Notice that Attendance Needs Improvement
Imposition of Excessive Absences Rule and Copy of Civil Service Rule 12.6**

Date: _____

To: **(– EMPLOYEE –)**

From: **(– SUPERVISOR –)**

**RE: Imposition of Civil Service Rule 12.6(a) (2) – Non-disciplinary
Removals/Excessive Unscheduled Absences**

This memo documents our counseling session today wherein you were advised that your unscheduled absences, which may also include tardies, have become problematic. When you are absent, other staff members have to cover your duty, which places an unfair burden on them and compromises the efficient provision of services to our clients. As punctuality and regular attendance are essential functions of your job, your attendance is in need of improvement.

Therefore, in an effort to assist you in making the necessary improvement in your attendance, the provisions of Civil Service Rule 12.6(a)2 are now in effect for you. In accordance with Civil Service Rule 12.6(a)2, effective **today**, if you exceed seven unscheduled absences (absences that are not pre-approved in accordance with this policy) within any twenty-six consecutive week period., you may be non-disciplinarily removed from employment. An unscheduled absence occurs when you are absent from work without having obtained approved leave prior to the absence. Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled.

The imposition of this rule is serious, and your failure to make significant and sustained improvement in your attendance shall result in further action being taken.

The date of your signature below is the effective date of the imposition of this rule.

Civil Service Rule 12.6 – Non-disciplinary Removals

12.6 Non-disciplinary Removals.

(a) An employee may be non-disciplinarily removed under the following circumstances:

1. When, on the date the notice required by Rule 12.7 is mailed, hand delivered, or orally given, the employee is unable to perform the essential functions of his job due to illness or medical disability and has fewer than eight hours of sick leave. An employee removed under this provision shall be paid for all remaining sick leave.

2. When, after the employee has been given written notice that his attendance requires improvement and copy of this rule, an employee has seven or more unscheduled absences during any consecutive twenty-six week period. The employee shall also be given written notice each time he incurs a sixth unscheduled absence during a consecutive twenty-six week period. An unscheduled absence occurs when an employee is absent from work without having obtained approval leave prior to the absence. Approval of leave, after the fact, to cover an unscheduled absence shall not prevent the absence from being considered unscheduled. A continuous absence for the same reason is one unscheduled absence, regardless of its duration.
3. When, as a result of conduct that was not work related, the employee fails to obtain or loses a license, commission, certificate or other accreditation that is legally required for the job.
4. When the employee holds more than one position in the state service and the multiple employment causes an employing agency to be liable for overtime payments under the Fair Labor Standards Act and, after having been provided the opportunity to do so, the employee has refused to resign from one of the positions.
5. When there is cause from dismissal, but the cause is not the employee's fault.

(b) When an employee is removed under this Rule, the adverse consequences of Rules 6.5(c); 22.4(d); 23.16(a)4; 23.13(b); 11.18(b) and 17.25(e)4 shall not apply.

REQUIRED SIGNATURES:

<i>MY SIGNATURE BELOW ACKNOWLEDGES THAT I HAVE READ AND RECEIVED THIS NOTICE AND A COPY OF CIVIL SERVICE RULE 12.6 – NON-DISCIPLINARY REMOVAL</i>	
_____ EMPLOYEE	_____ DATE
_____ SUPERVISOR	_____ DATE
_____ APPOINTING AUTHORITY	_____ DATE

C: Supervisory File (w/ signatures)